Case 4:23-cv-00770-SDJ Document 5 Filed 08/28/23 Page 1 of 2 PageID #: 76

AO 440 (Rev. 06/12) Summons in a Civil Action

United States District Court

for the

Eastern District of Texas

IMPLICIT, LLC)))
Plaintiff(s) v. CAPITAL ONE FINANCIAL CORP., CAPITAL ONE, NATIONAL ASSOCIATION)) Civil Action No. 4:23-cv-770))
Defendant(s))

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) CAPITAL ONE, NATIONAL ASSOCIATION c/o its Registered Agent
Corporation Service Company
251 Little Falls Drive
Wilmington, DE 19808

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney,

whose name and address are:

James M. Lennon

Devlin Law Firm LLC

1526 Gilpin Avenue, Wilmington, Delaware 19806

COC DICES

Telephone: (302) 449-9010 jlennon@devlinlawfirm.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

		CLERK OF COURT
Date:	8/28/23	David A. O' Poole
		Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No.4:23-cv-770

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

	This summons for (name	of individual and title, if any) CAPIT	AL ONE, NATIONAL ASSOCIATION	N			
was re	ceived by me on (date)	11/07/2023 .					
	☐ I personally served the summons on the individual at (place)						
			on (date)	; or			
	☐ I left the summons at the individual's residence or usual place of abode with (name)						
	, a person of suitable age and discretion who resides the						
	on (date)	on (date) , and mailed a copy to the individual's last known address; or					
	I served the summons on (name of individual) Lynanne Gares- Authorized to Accept , who is designated by law to accept service of process on behalf of (name of organization) Corporation Service Company						
	251 Little Falls Dr., Wilmington, DE 19808 @2:35 p.m. on (date) 11/07/2023 ; or						
	☐ I returned the summons unexecuted because ; or						
	☐ Other (specify):						
	My fees are \$	for travel and \$	for services, for a total of \$	0.00			
	I declare under penalty of perjury that this information is true.						
Date:	11/07/2023	\mathcal{M}	chaffee.				
	Server's signature						
	Michael Powers - Process Server						
	Printed name and title						
	230 North Market Street Wilmington, DE 19801						
Server's address							

Additional information regarding attempted service, etc: